

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.22640 of 2005

DATED: 20-10-2005

BETWEEN:

Garikapati China Ramaiah and another .. Petitioners

And

The Superintendent of Police, Praksam District

And others .. Respondents

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.22640 of 2005

ORDER:

The case of the petitioners is that the second respondent is not registering the complaint given by them in connection with the disappearance of their son, who according to them, was murdered by their daughter-in-law (third respondent). It is also their case that they are not able to trace out the body of their son (Garikapati Tirupalu) or their son.

When a report regarding a cognizable offence is given to the Station House Officer he is bound to register the same on a crime and take up investigation as per Section 154 of the Criminal Procedure Code. In this case, the petitioners alleging that they have reasonable belief that their son is murdered, gave a report to the second respondent on 27.2.2005, which is a cognizable offence. Therefore, the second respondent ought to have registered the same as a crime and took up investigation. His action in not registering the complaint is improper. Therefore, with a direction to the second respondent to register the complaint given by the petitioners to him on 27.2.2005 and take up investigation and submit the report with a magistrate as per law, this petition is disposed of.

No costs.

20-10-2005

kvrn